

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANDREW HEDDEN, et al.,

Plaintiffs,

v.

CITY OF SEATTLE, et al.,

Defendants.

No. C05-999Z

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The Court has reviewed the Plaintiff's Motion for Summary Judgment, docket no. 195, which seeks Summary Judgment based on the City of Seattle's failure to answer the Plaintiff's Amended Complaint, docket no. 180. Because the only asserted basis for Summary Judgment is the City's failure to answer, the Court construes Plaintiff's Motion for Summary Judgment, docket no. 195, as a Motion for Default. The City having now filed an Answer, docket no. 198, the Court DENIES Plaintiff's Motion for Summary Judgment, docket no. 195.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Filed and entered this 9th day of November, 2006.

BRUCE RIFKIN, Clerk

s/ Claudia Hawney

By \_\_\_\_\_  
Claudia Hawney  
Deputy Clerk